

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**SHAWN AVERY HARRIS,**

**:** CIVIL ACTION NO. 1:17-CV-205

**Plaintiff**

**:** (Chief Judge Conner)

**v.**

**:**

**MICHAEL HARRIS, *et al.*,**

**:**

**Defendants**

**:**

**ORDER**

AND NOW, this 17th day of July, 2018, upon consideration of the report (Doc. 40) of Magistrate Judge Martin C. Carlson, recommending the court dismiss the above-captioned litigation, commenced by *pro se* plaintiff Shawn Avery Hobson (“Hobson”), on the grounds of abandonment and failure to prosecute, (see id. at 5-12), wherein Judge Carlson opines that Hobson’s failure to notify the court of any change of address mandates dismissal of this case pursuant to Local Rule of Court 83.18 and this court’s standing order (Doc. 3) for *pro se* litigants, and it appearing that Hobson has not objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that the failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should “afford some level of review to dispositive legal issues raised by the report,” Henderson, 812 F.2d at 878; see also Taylor v. Comm’r of Soc. Sec., 83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Int’l, Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa.

2010)), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following independent review of the record, the court being in agreement with Judge Carlson’s recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 40) of Magistrate Judge Carlson is ADOPTED.
2. Hobson’s amended complaint (Doc. 12) is DISMISSED.
3. The Clerk of Court is directed to CLOSE this case.
4. Any appeal from this order is deemed to be frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania